

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
January 12, 2011
4:00 P.M.**

I. **ROLL CALL**

II. **ELECTION OF OFFICERS 2011**

III. **REVIEW OF SUMMARY** – September 8, 2010; October 20, 2010

IV. **OLD BUSINESS**

1912 E. 3rd Street, Gi-Chae Lee, 10-AA-108. Request relief from an administrative decision concerning designation as rental property. Tabled from November 10, 2010.

121 N. Glenwood Avenue West, Baker Sammander, 10-TV-97. Request an extension of time to complete repairs. Previously heard on November 10, 2010.

602 W. Dodds Street, Daniel Miller, 10-TV-88. Request an extension of time to complete repairs. Previously heard on October 20, 2010.

V. **NEW BUSINESS**

508 N. Adams Street, Action Property Management, 10-TV-112. Request an extension of time to complete repairs.

2615 E. 5th Street, George Huntington, 10-V-113. Request a modification or exception to the Housing Property Maintenance Code.

3200 E. John Hinkle Place Unit C, Matt Watson, 10-TV-114. Request an extension of time to complete repairs.

1725-1727 N. Lincoln Street, JLW Properties, LLC, 10-TV-116. Request an extension of time to complete repairs.

401 S. Woodlawn Avenue, Pavilion Properties, 10-TV-117. Request an extension of time to complete repairs.

409-411 W. 3rd Street, Creative Home Concepts, LLC, 11-TV-01. Request an extension of time to complete repairs.

1024 S. Hawthorne Drive, Jill M. Jolliff, 11-TV-02. Request an extension of time to complete repairs.

[WITHDRAWN] **1738 N. Lincoln Street**, Achamma Varghese, 11-TV-03. Request an extension of time to complete repairs.

425 N. Walnut Street, Jeff Delaplane, 11-RV-04. Request a variance be rescinded.

565 N. Walnut Street, Hoover Investments, 11-TV-05. Request an extension of time to complete repairs.

1717 N. Lincoln Street, Action Property Management, 11-TV-06. Request an extension of time to complete repairs.

[WITHDRAWN] **593 E. Graham Place**, Parker Real Estate Management, 11-TV-07. Request an extension of time to complete repairs.

521 W. Wylie Street, Jared Mackinnon, 11-TV-08. Request an extension of time to complete repairs.

626 N. College Avenue, Omega Properties, 11-TV-09. Request an extension of time to complete repairs.

325 E. Varsity Lane, Varsity Properties, 11-TV-10. Request an extension of time to complete repairs.

100 E. Miller Drive, Barry Jones, 11-TV-11. Request an extension of time to complete repairs.

1013 W. 6th Street, HAND, 11-RV-12. Request to rescind a variance.

1421 W. 12th Street, John Becraft, 11-V-13. Request a modification or exception to the Housing Property Maintenance Code.

VI. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

SUMMARY

B.H.Q.A. MEETING OF SEPTEMBER 8, 2010

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Susie Hamilton, Nikki Johnson, Justin Polston, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Robert Hoole, Bruce Jennings, Maria McCormick, Norman Mosier, Jo Stong (HAND), Inge Van der Cruysse (Legal)

OTHERS PRESENT: James Davis, Zella Davis (390 W. Jed Street), Douglas Horn (MCAA), Ibrahim Khairy, Lucy Khairy (219 E. 8th Street), Michael W. McBride (counsel, Olympus Properties, LLC), Judith Sylvester (1003 S. Washington Street)

II. REVIEW OF MINUTES

Hamilton made a motion to accept the May 12, 2010 minutes as recorded. Floyd seconded. Motion passed, 4-0-2 (Cole, Strauser abstained).

Cole made a motion to accept the July 14, 2010 minutes as recorded. Floyd seconded. Motion passed, 5-0-1 (Hamilton abstained).

III. PETITIONS

390 W. Jed Street, James R. & Zella M. Davis Living Trust, 10-AA-76. The petitioners, James & Zella Davis, were present to request relief from an administrative decision concerning designation as a rental property. Staff recommendation was to grant the request as long as Theresa L. Davis resides at the property and HAND conducts a residency check in 2013. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. The request is granted.

219 E. 8th Street, Lucy Khairy, 10-V-75. The petitioners, Ibrahim and Lucy Khairy, were present to request a modification or exception to the Housing Property Maintenance Code for a fuel fired furnace in a sleeping room. Staff recommendation was to grant the variance with the condition of single and multiple-station, hard wired smoke and carbon monoxide alarms shall be installed and according to specified conditions as outlined in the staff report with a deadline of November 8, 2010. Cole made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 4-2. (Floyd, Hamilton voted nay.) The request is granted.

1731 N. Lincoln Street, Olympus Properties, 10-AA-80. The petitioner, as represented by legal counsel Michael McBride, was present to request relief from an administrative decision concerning egress. Staff recommendation was to deny the request for administrative relief and grant an extension of time to seek a variance from the State with a deadline of December 8, 2010. Cole made a motion to accept staff recommendation as stated. Strauser seconded. Motion passed, 5-1. (Johnson voted nay.) The request for administrative relief is denied and the extension of time is granted.

1003 S. Washington Street, Judith Sylvester, 10-TV-77. The petitioner, Judith Sylvester, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 24, 2010 deadline. Cole made a motion to grant the request with a December 15, 2010 deadline. Hamilton seconded. Motion passed, 6-0. Request granted.

161-167 E. Kennedy Court, L&M Rentals, 10-TV-73. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 8, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. Request granted.

412 W. 13th Street, Apt. W, Ronald B. Clapp, 10-TV-74. Request an extension of time to complete repairs. This petition has been withdrawn.

203 E. Vermilya Avenue, Donald Chitwood, 10-AA-78. The petitioner was not present to request relief from an administrative decision concerning designation as rental property. Staff recommendation was to grant the request as long as Sarah Landfair resides at the property and HAND conducts a residency check in 2013. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 6-0. The request is granted.

930 S. Manor Road, Daniel Roussos/Spiti, LLC, 10-AA-79. The petitioner was not present to request relief from an administrative decision concerning designation as rental property. Staff recommendation was to grant the request as long as Asma El Sayed resides at the property and HAND conducts a residency check in 2013. Hamilton made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 6-0. The request is granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Cole made a motion to adjourn. Strauser seconded. Motion passed, 6-0. Meeting adjourned at 4:47 PM.

SUMMARY

B.H.Q.A. MEETING OF OCTOBER 20, 2010

MEMBERS PRESENT: Elizabeth Gallman, Susie Hamilton, Nikki Johnson, Justin Polston, Ryan Strauser

STAFF PRESENT: Daniel Bixler, John Hewett, Robert Hoole, Norman Mosier, Sean Person, Jo Stong (HAND), Inge Van der Cruysse (Legal)

OTHERS PRESENT: James Eierman (Jamar Properties), Jason L. McAuley (Mara Jade Holdings, LLC)

II. PETITIONS

3939 W. Roll Avenue, Jamar Properties, 10-TV-81. The petitioner, James Eierman, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a November 1, 2010 deadline. Gallman made a motion to grant the request with a January 30, 2011 deadline. Strauser seconded. Motion passed, 5-0. Request granted.

420 N. Washington Street, Michael Mazor, 10-TV-08. The petitioner was not present to request an extension of time to complete repairs. This was previously heard on March 10, 2010 and July 14, 2010. Staff recommendation was to deny the request with conditions as stated in the staff report. Hamilton made a motion to accept the staff recommendation. Strauser seconded. Motion passed, 5-0. Request denied with conditions as stated in the staff report.

1716 N. Lincoln Street, Jeff Olson, 10-TV-62. Request an extension of time to complete repairs. Previously heard July 14, 2010. This petition has been withdrawn.

516-518 S. Woodlawn Avenue, H3 Rentals, Inc., 10-TV-82. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 29, 2010 deadline. Polston made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

2350 S. Henderson Street, Beverley Chen, 10-TV-83. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a January 13, 2011 deadline. Hamilton made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

1701 & 1726 N. Lincoln Street, Paul B. Jackson, 10-TV-85. Request an extension of time to complete repairs. This petition has been withdrawn.

412 & 414 W. Northlane Drive, Marios G. Fellouka, 10-TV-86. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 13, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

418 & 420 W. Northlane Drive, Constantia McClung, 10-TV-87. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 13, 2010 deadline. Johnson made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

602 W. Dodds Street, Daniel O. Miller, 10-TV-88. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 1, 2010 deadline. Hamilton made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

3421-3423 E. Kennedy Drive, Lorelei Cascio-Sperry, 10-TV-90. The petitioner was not present to

request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 31, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

401-403, 411-413 S. Westwood Drive, Johann Dieken, 10-V-91. Request an exception or modification to the Housing Property Maintenance Code concerning egress. The petitioner was not present to request an exception or modification to the Housing Property Maintenance Code concerning egress. Staff recommendation was to deny the request for a modification or exception to the Property Maintenance Code, complete all repairs to the property by October 24, 2010, and grant an extension of time to seek a variance from the State with a January 15, 2011 deadline. Hamilton made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 5-0. Request for a variance denied. Extension of time granted.

1275-1279 S. Weatherstone Lane, Michael Latham, 10-TV-92. Request an extension of time to complete repairs. This petition has been withdrawn.

1834-36, 1838-40, 1842-44, 1846-48, 1850-52, 1854-56 S. Covey Lane, Housing Options, 10-TV-93. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 13, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

705 N. Grant Street, Mara Jade Holdings, LLC, 10-TV-94. Request an extension of time to complete repairs. This petition has been withdrawn.

402 ½ & 404 ½ E. 4th Street, HAND, 10-RV-95. Request to rescind a variance. Staff recommendation was to rescind the variances on the property. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gallman made a motion to adjourn. Strauser seconded. Motion passed, 5-0. Meeting adjourned at 4:42 PM.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: January 12, 2011

Petition Type: Relief from an administrative decision

Variance Request: Relief from the requirement to register as a rental

Petition Number: 10-AA-108

Address: 1912 E. 3rd Street

Petitioner: Korean United Methodist Church

Prior to the expiration of the rental permit, the owner notified HAND that this property is being used by the church as housing for the pastor. Pastor Lee and his family reside in the property and the church would like it removed from the rental inspection program.

During the BHQA meeting on November 10, 2010, members of the Board expressed some concerns about not requiring rectories/parsonages to register as residential rental units. Patricia Mulvihill, attorney for both HAND and the BHQA, suggested that the matter be tabled until the December meeting so that she could research any potential legal consequences of requiring rectories/parsonages to register as residential rental units. Ms. Mulvihill's request was granted and the Board tabled this matter to the December 8, 2010 meeting.

Ms. Mulvihill researched several federal laws that pertain to the government's ability to regulate religious institutions. The research generally concluded that public health and safety measures could be imposed upon religious organizations, which would normally mean that the City could require rectories/parsonages to register as residential rental units. However, federal law also makes it clear that the government cannot impose regulations in a manner that treats religious institutions on less than equal terms of other nonreligious institutions.

Bloomington Municipal Code Section 16.12.030(b)(2) specifically exempts fraternal and social organizations from having to register as residential rental units. The Legal Department believes that the fraternal/social organizations (particularly those organizations dwelling structures) closely resemble rectories/parsonages. Because of the similarity between fraternal/social organization's dwelling units and rectories/parsonages, the Legal Department believes requiring

a rectory/parsonage to be registered as a residential rental unit may be treating religious institutions on less than equal terms of other nonreligious institutions.

The Legal Department recommends that in order to ensure compliance with federal law that the BHQA support staff's recommendation to exempt 1912 East Third Street from the requirements of Title 16 of the Bloomington Municipal Code. Ms. Mulvihill will be present at the December 8, 2010, meeting of the BHQA to answer any specific questions Board members may have regarding this issue.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as the church continues to use this property as housing for the Pastor and family.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 11 2010

BY:

Petitioner's Name: Gi-Chae Lee

Petitioner's Address & Phone Number: 1912 E. 3rd ST 336-2576
331-2080

Owner's Name: Korean United Methodist Church

Owner's Address & Phone Number: 1924 E. 3rd ST 331-2080

Address of Property: 1912 E. 3rd ST

Occupant(s) Name(s): Gi-Chae Lee

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☒ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Gi-Chae Lee

Name (print): Gi-Chae Lee

Petition Number: 10-AA-108

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

The house of 1912 E 3rd St is a property
owned by Korean United Methodist church and
is lived by pastor Gi-Chae Lee's family.
We request to be exempted from rental
registration program

Signature:

Gi-Chae Lee

Date:

10/11/2010



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-97

Address: 121 N. Glenwood W.

Petitioner: Baker Sammander

Inspector: Robert Hoole

Staff Report: August 30, 2010 Cycle inspection report mailed
September 21, 2010 Appeal filed
November 10, 2010 Extension granted
November 12, 2010 Second appeal filed

During the cycle inspection report it was noted that the egress windows did not meet the requirements in place at the time of installation. The windows were installed at some point after April 2, 2001. The petitioner sought a variance from the state of Indiana but did not provide the State or the Monroe County Building Department with the information that these windows were replacement windows recently installed. Now the petitioner is seeking an extension of time to complete the process of resubmitting his application to the State.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 12, 2011

Attachments: Appeal form, remaining violation report

JP



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 12 2010

BY: _____

Petitioner's Name: Baker A. Sammarco

Petitioner's Address & Phone Number: 3660 Longview Ave Bloom IN 47408 • 812-331-8535

Owner's Name: The Same

Owner's Address & Phone Number: The Same

Address of Property: 121 N. Glenwood Ave. West

Occupant(s) Name(s): None

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): _____

(Will be assigned by BHQA)

10-TV-97(OLD)

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

I need extension of time to resolve the issue variance with the site

Signature: [Signature]

Date: 11/12/10



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violations Report
Reinspected 9/27/2010

9466

OWNERS

=====

SAMMANDER, BAKER A.
3660 LONGVIEW AVE.
BLOOMINGTON, IN 47408

Prop. Location: 121 N GLENWOOD AVE W	Number of Units/Structures: 1 / 1
Date Inspected: 08/23/2010	Number of Bedrooms: 5
Inspectors: Robert Hoole	Max # of Occupants: 3
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RS	Attic Access: No
Number of Stories: 1	Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR

Northeast bedroom (9 x 10)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	2.64 sq. ft.
Clear width required:	20"	Existing width:	12 ½ "
Clear height required:	22"	Existing height:	30 ½ "
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Southeast bedroom (15 x 13)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	4.09 sq. ft.
Clear width required:	20"	Existing width:	19 "
Clear height required:	22"	Existing height:	31 "
Maximum sill height:	44" above finished floor	Existing sill:	46"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

West bedroom / bath (14 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	3.42 sq. ft.
Clear width required:	20"	Existing width:	17 "
Clear height required:	22"	Existing height:	29 "
Maximum sill height:	44" above finished floor	Existing sill:	47"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Basement family room (24 x 15)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

NOTE: At the reinspection the owner indicated that although the fireplace has been inspected and found to be in good working order, a cap has been placed over the chimney. Remove the cap, or permanently and visibly seal the fireplace to prevent use.

Utility room

Eliminate the leak from the bathtub drain above this room. PM-504.1

Properly seal the opening in the drainpipe adjacent to the washer drain. PM-504.1

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

November 22, 2010

Baker A. Sammander
3660 Longview Avenue
Bloomington, IN 47408

Re: 121 N. Glenwood Avenue West

Dear Mr. Sammander:

We are in receipt of the response from the State of Indiana regarding your application for an egress variance on the property located at 121 N. Glenwood West. We reviewed your application to the State and noticed that it did not include the information that the windows had been replaced some time after 2001. I have attached a picture of the property taken on 4/2/2001 by the County Assessor's Office.

The existing windows are vinyl replacement windows and do not match the windows in this photograph. The existing windows in the northeast, southeast and west bedrooms do not meet any approved version of the building code after 2001. I've attached a copy of your inspection report with the window widths highlighted plus copies of the egress provisions in place after 2001. I know that you purchased this property after 2001 with the existing windows in it; however, we cannot approve your rental permit until the State has approved a variance for these replacement windows. Please send this information on to the State of Indiana and the Monroe County Building Department and ask them to revisit your application with this new information.

Please feel free to contact me with any questions you may have.

Sincerely,

Lisa Abbott
Director

Enc.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-88

Address: 602 W. Dodds

Petitioner: Daniel O. Miller

Inspector: Maria McCormick

Staff Report: June 1, 2010 Cycle Inspection
September 2, 2010 Application for Appeal
September 3, 2010 Re-Inspection
November 22, 2010 Application for 2nd Appeal

An extension of time was granted for this property at the October 2010 meeting. The extension was good until December 1, 2010 to complete the replacement of the glazing compound on the windows. On November 22, 2010 the agent requested and additional extension of time as they have decided to replace the windows instead of replacing the glazing compound. They have included a receipt for the new windows but are asking for additional time to receive the windows and install them due to the weather. They are asking for an extension until March 31, 2011.

Staff recommendation: Grant the extension of time.

Conditions: The installation of the new windows must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 31, 2011.

Attachments: Application for Appeal, Cycle Report, Remaining Violations Report.

Handwritten signature



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 602 W. DODDS

Petitioner's Name: DANIEL O. MILLER

Address: 200 E 3RD ST.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 334-6148 E-mail Address: DAMILLER@HOMEFINDER.ORG

Owner's Name: ORZO PROPERTIES LLC

Address: 304 W. KIRKWOOD AVE SUITE 4

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-330-4361 EXT: 7719 E-mail Address: SBUTTON@Q1SWIRE.COM

Occupants: ADAM KORNYA

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: EXTENSION OF TIME TO INSTALL NEW WINDOWS

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

10-TV-88 (OLD)

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Signature (Required):

Name (Print):

DANIEL O. MILLER

Date:

11/22/10
11/25/10

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.



Carter Lumber IN 352 (310-90)
2901 N. Morton Street
Franklin IN 46131

RS (317)-346-1300 FAX

CASH252

SAN MILLER JOB
602 WEST 8000 STREET
BLOOMINGTON, IN

47403

359003911

XXXXXXXXXX

Requested By: 11/15/10

//SALES ORDER//SALES ORDER//SALES ORDER//SALES ORDER//SALES ORDER//SALES ORDER//

11/15/10 ARVIS HONES -MILLER

Randy Hintz

01/02

1 27-3/4X41-1/4 SILVERLINE DOUBLE C0951 165.43 EACH 165.43
STANDARD WHITE
LOW E3 ARGON GLASS
OBSCURE/OBSCURE
GBC TOP SASH ONLY
FULL SCREEN
DOUBLE LOCK

10 27-3/4X57-1/4 SILVERLINE DOUBLE C0951 170.00 EACH 1,700.00
STANDARD WHITE
LOW E3 ARGON GLASS
STANDARD GLASS/STANDARD GLASS
GBC
DOUBLE LOCK
FULL SCREEN

Non Taxable Amount:

0.00

Taxable Amount:

1,865.43

Sales Tax

130.65

Sales Order Amount

1,997.08

Total of Deposit(s)

1,997.08

Deposit Refund

0.00

BALANCE DUE ----

0.00

MC:XXXXXXXXXXXX9212

XX/XX

1,997.08 085942

N * PDep *

Customer Signature: _____

I AGREE TO COMPLY WITH THE CARD HOLDER AGREEMENT.



City of Bloomington
Housing and Neighborhood Development

Cycle Report

5622

OWNERS

ORREGO, MAT
304 W. KIRKWOOD AVENUE
BLOOMINGTON, IN 47404

Prop. Location: 602 W DODDS ST
Date Inspected: 06/01/2010
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

AGENT

MILLER, DANIEL O.
PO BOX 1641
BLOOMINGTON, IN 47402

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

INTERIOR:

Living Room 13-6 x 17-7:

Repair the damaged window screen on the east windows. PM-303.14

Rear Living Room 13-3 x 10-3:

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

SW Bedroom 9-11 x 14-3:

Repair the broken window glass in the west window. PM-303.13

Existing Egress Window Measurements:

Height: 26 ½ inches
Width: 25 inches
Sill Height: 23 ½ inches
Openable Area: 4.60 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Repair or replace the cracked and damaged sink bowl. PM-504.1

North Central Bedroom 10-3 x 13-3:

No violations noted.

Existing Egress Window Measurements:

Height: 26 ½ inches

Width: 25 inches

Sill Height: 23 ½ inches

Openable Area: 4.60 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Kitchen:

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Dining Room 10-7 x 9-11:

No violations noted.

NW Bedroom 12-1 x 9-0:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. Properly repair the ceiling where it is cracked along the east wall. PM-304.3

Existing Egress Window Measurements:

Height: 19 ½ inches

Width: 29 inches

Sill Height: 36 inches

Openable Area: 3.94 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Basement:

Repair the broken window glass on the east wall. PM-303.13

Install/replace batteries in smoke detectors so that they function as intended. PM-704.1

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

EXTERIOR:

Replace the missing protective cover for the light fixture adjacent to the back door. PM-605.1

Properly secure the dryer vent housing to the house. PM-403.3

Properly repair the hole in the siding just north of the start of the addition, in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. PM-302.7, PM-303.1 & PM-303.4

Replace the deteriorated glazing on all the windows. PM-303.13.1

Secure the handrail leading up the stairs from the sidewalk so it is capable of withstanding normally imposed loads. PM-303.12

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item only has a compliance deadline of June 1, 2011.)

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.04**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violations Report

5622

OWNERS

ORREGO, MAT
304 W. KIRKWOOD AVENUE
BLOOMINGTON, IN 47404

Prop. Location: 602 W DODDS ST
Date Inspected: 06/01/2010
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

AGENT

MILLER, DANILE O.
PO BOX 1641
BLOOMINGTON, IN 47402

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR:

Basement:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

EXTERIOR:

Replace the deteriorated glazing on all the windows. PM-303.13.1

Secure the handrail leading up the stairs from the sidewalk so it is capable of withstanding normally imposed loads. PM-303.12

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item only has a compliance deadline of June 1, 2011.)

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary **BMC16.12.050 (d).**
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 10-TV-112
Address: 508 N. Adams
Petitioner: Action Property Management
Inspector: Sean Person
Staff Report: August 13, 2010 - Conducted Cycle Inspection
October 20, 2010 - Received BHQA Appeal
December 1, 2010- Sent Amended Cycle Report

During the cycle inspection it was noted that egress windows in Units A & B did not meet size requirements at the time structure was remodeled in **2001**. Records from the Building Department indicate two permits were applied for between 1989 and 2004 to remodel but the 2004 permit was never picked up. These records and a photo of the property taken on March 27, 2001 confirm windows were changed between these two dates. The petitioner is seeking an extension of time to secure a variance from the State of Indiana to allow the windows to remain as they are. Measurements are as follows:

Unit A

Openable area required: 5.7	sq. ft.	Existing area: 4.69	sq. ft.
Clear width required: 22	"	Existing width: 39 ¾	"
Clear height required: 22	"	Existing height: 17	"
Maximum sill height: 44	" above finished floor	Existing sill: 35 ½	

Unit B

Openable area required: 5.7	sq. ft.	Existing area: 4.69	sq. ft.
Clear width required: 22	"	Existing width: 39 ¾	"
Clear height required: 22	"	Existing height: 17	"
Maximum sill height: 44"	above finished floor	Existing sill: 20	"

Handwritten signature or initials in blue ink.

Staff recommendation: Grant extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 15, 2011

Attachments: Cycle Reports, BHQA Appeal, Petitioner's Letter, Photo



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: Fiction Property Mgmt. & Realty

Petitioner's Address & Phone Number: 408 W. 6th - Bloomington, IN 47404

Owner's Name: R2R Properties - Kevin Schick

Owner's Address & Phone Number: 7817 Gabacho St. Carlsbad, CA 92009

Address of Property: 508 N. Adams St. Bloomington, IN 47404

Occupant(s) Name(s): ^(A) Victoria Rossiter - ^(B) JASON Nguyen - ^(C) Sam Shrader, Frank Bayer

The following conditions must be found in each case in order for the Board to consider the request: Danilo Coarves
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare. MIKE Shepherd

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting

* Going for State Variance for WINDOWS



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Linda Quillen

Name (print): LINDA QUILEN

(Will be assigned by BHQA)

10-TV-112

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

422 Northlane - needs extension of time
while trying to get a Variance from
the state for the Windows

508 N. Adams - also needs extension of time
while trying to get a Variance from the
State for the Windows

Signature:

Linda Swiller

Date:

10/21/10

Cycle Report

10

OWNERS

SCHICK, KEVIN W.
7817 GABACHO ST.
CARLSBAD, CA 92009

AGENT

ACTION PROPERTY MGMT. & REALTY
408 W. 6TH ST.
BLOOMINGTON IN 47404

Prop. Location: 508 N ADAMS ST
Date Inspected: 08/13/2010
2-1br.
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 9/1
Number of Bedrooms: 7 S.R.;

Max # of Occupants: 1/2
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

03/08/2001 Special exception to the minimum ceiling height requirement and minimum room width for the southwest room.

INTERIOR

Unit A

Kitchen (11-7 x 11-7)

No violations noted.

Hallway

No violations noted.

Bedroom (9-2 x 9-4)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 4.69 sq. ft.
Clear width required: 22 "	Existing width: 39 ¾ "
Clear height required: 22 "	Existing height: 17 "
Maximum sill height: 44 "	Existing sill: 35 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Living Room (9-2 x 11-1)

No violations noted.

Bathroom

No violations noted.

Laundry Room

Properly repair floor next to the flue that penetrates the flooring. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering. An approved boot / shield should be used where floor and flue make connection. PM-304.2 & PM-304.4

Bathroom

No violations noted.

Unit B

Hallway

No violations noted.

Bedroom (8-10 x 11-7)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 4.69 sq. ft.
Clear width required: 22 "	Existing width: 39 ¾ "
Clear height required: 22 "	Existing height: 17 "
Maximum sill height: 44 "	Existing sill: 20 "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Living Room (10-4 x 9-3)

No violations noted.

Hallway

No violations noted.

Kitchen (11-0 x 7-5)

No violations noted.

Study (7-9 x 9-2)

No violations noted.

Bathroom

No violations noted.

Unit C

Note: Unit C has seven (7) bedrooms labeled 1-7 with a common Kitchen, two (2) common bathrooms and one (1) common Living Room.

Living Room (12-0 x 13-0)

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
PM-704.1

Kitchen (9-0 x 12-0)

No violations noted.

Bathroom

No violations noted.

Bathroom

No violations noted.

#1 (11-2 x 9-1)

Replace the missing smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22 "	Existing width: 20 "
Clear height required: 22 "	Existing height: 43 ¼ "
Maximum sill height: 44 "	Existing sill: 43 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

#2 (12-11 x 6-3)

Note: This room has a variance that was granted on March 8, 2001 for minimum room width.

Repair/replace the damaged door. PM-304.6

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22 "	Existing width: 20 "
Clear height required: 22 "	Existing height: 43 ¼ "
Maximum sill height: 44 "	Existing sill: 43 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

#3 (9-4 x 9-5)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22 "	Existing width: 20 "
Clear height required: 22 "	Existing height: 43 1/4 "
Maximum sill height: 44 "	Existing sill: 43 1/2 "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

#4 (9-11 x 9-1)

Repair the hanging smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22 "	Existing width: 20 "
Clear height required: 22 "	Existing height: 43 1/4 "
Maximum sill height: 44 "	Existing sill: 43 1/2 "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

#5 (8-2 x 12-8)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
--------------------------------------	-----------------------------

Clear width required: 22	”	Existing width: 20	“
Clear height required: 22	”	Existing height: 43 ¼	“
Maximum sill height: 44	” above finished floor	Existing sill: 43 ½	“

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

#6 (8-0 x 9-6)

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
PM-704.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22	” Existing width: 20
Clear height required: 22	” Existing height: 43 ¼
Maximum sill height: 44	” above finished floor Existing sill: 43 ½

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

#7 9-8 x 8-0)

Note: During the cycle inspection this room was not occupied.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1973:

Openable area required: 5.00 sq. ft.	Existing area: 6.00 sq. ft.
Clear width required: 22 "	Existing width: 20 "
Clear height required: 22 "	Existing height: 43 ¼ "
Maximum sill height: 44 "	Existing sill: 43 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Monroe County, IN
 Property Assessment Detail Report
 Parcel Number : 53-05-32-207-051.000-005

Parcel Information		Taxing District	
Parcel Number:	53-05-32-207-051.000-005	Township:	BLOOMINGTON TOWNSHIP
Alt Parcel Number:	0133194000	Corporation:	MONROE COUNTY COMMUNITY
		Land Description	
Property Address:	508 N ADAMS ST BLOOMINGTON, IN 47404	Land Type	Acreage Dimensions
Neighborhood:	36a BLOOMINGTON CITY-COM/RES A	9rr	0.1100
Property Class:	1 Family Dwell - Platted Lot		
Legal Description:	013-31940-00 J N ALEXANDER PT (N 60') LOT 98 PLAT L98A		
Legal Acreage:	0.11000000		
Owner Name:	R2R Properties LLC		
Owner Address:	Po Box 231142 Encinitas, CA 92023-1142		

Transfer Of Ownership

Date	Name
06-19-2007	R2R PROPERTIES LLC
01-11-2007	SCHICK, KEVIN W & AMELIA E
11-23-2004	R2R PROPERTIES LLC
04-01-2004	SCHICK, KEVIN W & AMELIA E
08-15-2003	SCHICK, KEVIN W & AMELIA E
12-17-1997	ZZ SHELTER INC
12-17-1997	SHELTER INC
08-10-1995	WAXLER, MYER & WAXLER, HENRY JAY
05-27-1988	WAXLER, MYER
06-07-1982	WAXLER, BEN & MYER
01-01-1900	MC GLAUN, ALICE L
01-01-1900	UNKNOWN

Sales

Sale Date	Sale Price	Buyer Name	Seller Name
11-19-2004	\$0.00	R2R PROPERTIES, LLC	KEVIN W SCHICK
03-31-2004	\$79,900.00	KEVIN W SCHICK	MONROE BANK
08-12-2003	\$0.00	MONROE BANK	SHELTER, INC

Valuation Record

Assessment Date	Reason for Change	Land	Improvements	Total Valuation
01-01-2010	Annual Adjustment	7300	71700	79000
01-01-2009	MISCELLANEOUS	7300	71700	79000
01-01-2008	MISCELLANEOUS	7300	71700	79000
01-01-2007	MISCELLANEOUS	7300	71700	79000
01-01-2006	MISCELLANEOUS	7300	70500	77800

01-01-2005	MISCELLANEOUS	6800	69100	75900
01-01-2004	Homestead Change	6800	69100	75900
01-01-2002	GENERAL REVALUATION	6800	69100	75900
01-01-2001	ADDITION TO EXISTING STRUCTURE	0	0	0
01-01-1998	Error Correction (Form 133)	0	0	0
01-01-1995	GENERAL REVALUATION	0	0	0
01-01-1994	GENERAL REVALUATION	0	0	0

Public Utilities		Exterior Features		Special Features	
Water:	N	Exterior Feature	Size/Area	Description	Size/Area
Sewer:	N	Stoop, Masonry	84		
Gas:	N	Stoop, Masonry	84		
Electricity:	N	Patio, Concrete	144		
All:	Y				

Summary Of Improvements					
Buildings	Grade	Condition	Construction Year	Effective Year	Area
Single-Family R 01	D+2	F	1973	1973	2304

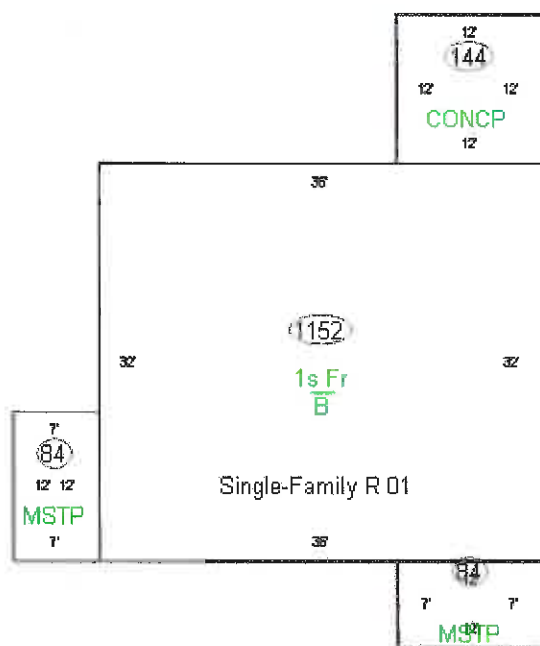
Residential Dwelling Information

Single-Family R 01

Accommodations		Plumbing		Other	
Bed Rooms:	9	Full Baths:	4	Heat Type:	Central Warm Air
Finished Rooms:	15	Full Baths Fixtures:	12	Air Cond. Area:	1152
		Kitchen Sinks:	3		

Floors			
Floor	Construction	Base	Finished
B		1152	1152
1	Wood Frame	1152	1152

Photos and Sketches







City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Variance**

Meeting Date: January 12, 2011

Petition Type: A modification or exception to the Property Maintenance Code

Variance Request: To allow an openable window to remain sealed closed.

Petition Number: 10-V-113

Address: 2615 E. 5th

Petitioner: George Huntington

Inspector: Robert Hoole

Staff Report: June 7, 2010 Cycle inspection report mailed
September 27, 2010 Reinspection with owner; property still vacant
October 29, 2010 Appeal filed

The petitioner is seeking a variance to allow one openable window in the living room to remain sealed in the closed position. Other windows in the room are fully functional. The hardware on the window in question is obsolete and cannot be replaced.

Staff recommendation: Grant the variance

Conditions: None

Compliance Deadline: None

Attachments: Cycle inspection report, appeal form

[Handwritten signature]



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

2615
WINDOW

Petitioner's Name: George Huntington

Petitioner's Address & Phone Number: 2524 Eastgate Lane Bloomington 812 369-0604

Owner's Name: Huntington Family LLC

Owner's Address & Phone Number: SAME

Address of Property: 2615 E. Fifth St.

Occupant(s) Name(s): CURRENTLY VACANT

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)
- ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested
- ☒ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
- ↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
- ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: George Huntington

Name (print): George Huntington

Petition Number: 10-V-113

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

One of three windows in the living room will not open the way it is intended to (hand crank). We cannot find a replacement or parts to repair. The window has been permanently screwed shut so it will not open. The other two windows in the room function properly - one on the south wall and one on the east wall.

Signature:

A handwritten signature in black ink, appearing to read "M. J. Elder".

Date:

10/26/10

Cycle Report

4935

OWNERS

=====

HUNTINGTON FAMILY LLC
1532 CLAIRMONT PLACE
BLOOMINGTON, IN 47401

AGENT

=====

HUNTINGTON, GEORGE E.
2524 EASTGATE LANE
BLOOMINGTON IN 47408

Prop. Location: 2615 E 5TH ST
Date Inspected: 06/02/2010
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: No
Accessory Structure:

INTERIOR

Living room (18 x 12)

Repair all window cranks to function as intended. PM-303.13.2

Hallway

No violations noted.

Southeast bedroom (10 ½ x 8 ½)

Repair the window to open and close as intended. The window will be measured at reinspection.
PM-303.13.2

Properly ground the electrical receptacle on the north wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Southwest bedroom (12 x 9)

Existing Egress Window Measurements:

Height: 35 inches
Width: 16 inches
Sill Height: 44 inches
Openable Area: 3.88 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bath

No violations noted.

Kitchen (10 x 13)

Repair the window above the sink to open and close as intended. PM-303.13.2

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Basement northeast room (11 x 14)

No violations noted.

Basement southeast room (10 x 18)

No violations noted.

Basement utility room

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

EXTERIOR

From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. PM-303.14

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-114

Address: 3200 John Hinkle Pl. C

Petitioner: Beth Watson (mother)

Inspector: Robert Hoole

Staff Report: July 23, 2010 Cycle inspection report mailed
August 6, 2010 Spoke with owner's mom concerning report
September 27, 2010 Reinspection
October 4, 2010 2nd reinspection
October 28, 2010 Appeal filed

During the cycle inspection report it was noted that the egress windows did not meet the code requirements in place at the time of construction. The petitioner is requesting an extension of time to complete the process of requesting a variance from the State of Indiana. All other items have been completed and reinspected.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 8, 2011

Attachments: Appeal form, remaining violations report

JB



RECEIVED
OCT 28 2010
BY: *****

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

OCT 28 2010

Petitioner's Name: Matt Watson

Petitioner's Address & Phone Number: 2801 FORRESTER ST. 339-3665
BLGTN 47401

Owner's Name: Same

Owner's Address & Phone Number: Same

Address of Property: 3200 John Hinkle Place Apt C Bgtn

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☒ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Beth Watson

Name (print): BETH WATSON

Petition Number: 10-TV-114

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Math is out of the country (Mexico), studying
until late December. ~~He will return~~

The windows have been repaired with new
parts.

Upon return he will take care of necessary
variance) procedures or ~~upon~~ whatever else
is necessary.

Signature:

Beth Watson
(mother)

Date:

10-28-10



**City of Bloomington
Housing and Neighborhood Development**

OCT 22 2010

Remaining Violations Report
Reinspected 9/27/2010 and 10/4/2010

4880

OWNERS

=====

WATSON, MATTHEW
2801 S. FORRESTER STREET
BLOOMINGTON, IN 47401

Prop. Location: 3200 E JOHN HINKLE C
Date Inspected: 07/13/2010
Inspectors: Robert Hoole
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: N/A
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR

Egress window requirements at the time of construction (1993):

Height: 24 inches
Width: 20 inches
Sill Height: 26 inches
Openable Area: 5.7 sq. ft.

Front bedroom (10 x 9)

Existing Egress Window Measurements:

Height: 23 inches
Width: 35 inches
Sill Height: 26 inches
Openable Area: 5.59 sq. ft.

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or, you apply for an egress variance with the Indiana Fire and Building Safety Commission. PM-702.4

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Middle bedroom (9 x 10)

Existing Egress Window Measurements:

Height: 23 inches
Width: 35 inches
Sill Height: 26 inches
Openable Area: 5.59 sq. ft.

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or, you apply for an egress variance with the Indiana Fire and Building Safety Commission. PM-702.4

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Rear bedroom / bath (10 x 13)

Existing Egress Window Measurements:

Height: 23 inches

Width: 43 inches

Sill Height: 26 inches

Openable Area: 6.86 sq. ft.

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or, you apply for an egress variance with the Indiana Fire and Building Safety Commission. PM-702.4

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

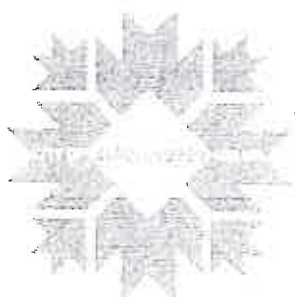
**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 10-TV-116
Address: 1725, 1727 N. Lincoln
Petitioner: John West
Inspector: Robert Hoole
Staff Report: September 16, 2010 Cycle inspection reports mailed
November 8, 2010 Appeal filed

During the cycle inspection it was noted that the egress windows do not meet the code requirements in place at the time of construction. The petitioner is seeking a 90 day extension of time to complete the process of securing a variance from the State of Indiana to allow the windows to remain as they are.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: March 8, 2011
Attachments: Appeal form, cycle inspection reports

14



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
10/10/10

BY: _____

Property Address: 1725, 1727 N Lincoln (College Park Condos)

Petitioner's Name: John West

Address: 2051 S. Ramsey Dr

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 330-7500

E-mail Address: jwest@tuckerbloomington.com

Owner's Name: JLW Properties, LLC

Address: Same as above

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants: Students

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: *TV*)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

10-TV-116

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Both 1725 and 1727 have been cited for undersized windows per the minimum building code of 1990 (BMC-16.02.040). An egress variance must be applied for with the Fire Prevention And Building Safety Commission at the state of Indiana's Department of Homeland Security. The existing window height is 4" smaller then the minimum required by code. It is anticipated that a 90 day extension is required to obtain the variance.

Signature (Required):



Name (Print): John West

Date: 11/4/10

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3478

OWNERS

=====

JLW PROPERTIES
2534 SPICEWOOD LANE
BLOOMINGTON, IN 47401

AGENT

=====

WEST, JOHN
2534 SPICEWOOD LANE
BLOOMINGTON IN 47401

Prop. Location: 1725 N LINCOLN ST
Date Inspected: 08/13/2010
Inspectors: Robert Hoole
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure:

INTERIOR

Living room (12 x 18)

Repair the entry door to latch properly. PM-303.15

Kitchen (10 x 6)

A minimum **1A 10BC** classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

40

1st floor bath

No violations noted.

2nd floor hallway

Install a hard-wired smoke detector, interconnected with the smoke detector on the 1st floor. PM-704.1

Rear bedroom / bath (11 x 13)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990:

Openable area required:	5.7 sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Front bedroom / bath (13 x 11)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990:

Openable area required:	5.7 sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the ***Department of Homeland Security*** on the ***Fire Prevention and Building Safety Commission***'s web site at www.in.gov/dhs/2375.htm. Scroll down to ***Downloadable Forms and Documents*** and click on ***Variance Application and Instructions***. If you need any further clarification, the Commission can be reached at 317.233.5341.

2nd floor toilet room

No violations noted.

Attic

No violations noted.

Crawlspace

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3477

OWNERS

=====

JLW PROPERTIES
2534 SPICEWOOD LANE
BLOOMINGTON, IN 47401

AGENT

=====

WEST, JOHN
2534 SPICEWOOD LANE
BLOOMINGTON IN 47401

Prop. Location: 1727 N LINCOLN ST
Date Inspected: 08/13/2010
Inspectors: Robert Hoole
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure:

INTERIOR

Living room (12 x 18)

No violations noted.

Kitchen (10 x 6)

No violations noted.

1st floor bath

No violations noted.

2nd floor hallway

No violations noted.

43

Rear bedroom / bath (11 x 13)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990:

Openable area required:	5.7 sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Front bedroom / bath (13 x 11)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990:

Openable area required:	5.7 sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

2nd floor toilet room

No violations noted.

Attic

No violations noted.

Crawlspace

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 12 January 2011

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-117

Address: 401 S. Woodlawn Ave.

Petitioner: Pavilion Properties

Inspector: Michael Arnold

Staff Report:

16 October 2009	No show for inspection
09 November 2009	Cycle inspection complete
17 November 2009	Sent report
11 January 2010	Reinspection scheduled
26 January 2010	Reinspection complete
02 February 2010	Sent Temporary Permit
15 September 2010	Sent Exterior Extension Reminder
09 November 2010	Received appeal for extension of time
03 December 2010	Exterior is now in compliance

During the inspection it was noted that exterior painting needed to be completed. The petitioner requested additional time for replacement windows.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 31 January 2011

Attachments: Exterior Extension Reminder

[Handwritten signature]



RECEIVED

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED

Petitioner's Name:

PAVILION PROPERTIES

BY:

Petitioner's Address & Phone Number:

601 N. Walnut St. 712-333-2332

Owner's Name:

Owner's Address & Phone Number:

Address of Property:

401 S. Woodman Ave

Occupant(s) Name(s):

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- Specify the items that need the extension of time to complete
- Explain why the extension is needed
- Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- Specify the code reference number you are appealing
- Detail why you are requesting the variance
- Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- Detail the existing variance
- Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

[Signature]

Name (print):

Mark Hoffman

Petition Number:

10-TV-117

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Special order windows will not be
in until Dec 1, 2010

Signature:

Date:

11/9/10



City of Bloomington Housing and Neighborhood Development

OCT 20 2010

Exterior Extension Reminder

1884

OWNERS

=====

PAVILION PROPERTIES
601 N. WALNUT ST
BLOOMINGTON, IN 47404

Prop. Location: 401 S WOODLAWN AVE
Date Inspected: 11/09/2009
Inspectors: Mike Arnold
Primary Heat Source: Other
Property Zoning: RH
Number of Stories: 3

Number of Units/Structures: 10 / 1
Number of Bedrooms: 3 each
Max # of Occupants: 3 each
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: none

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 09 November 2010

If you have made all of the repairs on this report, contact our office immediately to schedule the required drive-by re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Exterior:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (Top level dormer windows are not complete).



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-01

Address: 409-411 W. 3rd Street

Petitioner: Mara Widen for Creative Home Concepts LLC

Inspector: Sean Person

Staff Report: August 23, 2010 Conducted cycle inspection
November 12, 2010 Completed re-inspection

During the cycle inspection it was noted that bedroom window in Unit #1 needed repaired. Petitioner would rather replace window instead of repairing.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 1, 2011.

Attachments: Cycle Report, Application for Appeal

Handwritten signature or initials in blue ink.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 16 2010

BY:

Petitioner's Name: Marci Widen for Creative Home Concepts, LLC
Petitioner's Address & Phone Number: PO Box 3429 Bloomington 47402
Owner's Name: Jason Widen Pres of Creative Home Concepts, LLC
Owner's Address & Phone Number: 325 S Rogers
Address of Property: 411 W 3rd - Apt 1
Occupant(s) Name(s): John Maltingly (tenant)

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Marci Widen

Name (print): Marci Widen

Petition Number: 11-TV-01

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Window in bedroom - was repaired by maintenance to open & close properly - but is still not working properly due to age of window - clips & hardware that were installed for repair did work at date of repair - however - now the repair is not working as it was. Having window replaced with new window.

Window will be replaced as soon as possible. Requesting one month extension.

Signature:

Marce Widen

Date:

11-12-10



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

AUG 27 2010

Creative Home Concepts
213 S. Rogers Street
Bloomington, IN 47404

Property Location: 409-411 W. 3rd Street

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **OCT 27 2010** to schedule a reinspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3001

OWNERS

CREATIVE HOME CONCEPTS
213 S. ROGERS STREET
BLOOMINGTON, IN 47404

Prop. Location: 411, 409 W 3RD ST
Date Inspected: 08/23/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 5 / 1
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

VARIANCE

02/22/1984 Granted a variance for the minimum ceiling height requirement at 411 W. 3rd St., Apt. #4.

INTERIOR

Unit #1

Kitchen (7-9 x 4-6)

Replace the missing smoke detector. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Repair or replace range exhaust fan so that it functions as intended. PM-603.1

Bathroom

Repair exhaust fan so that it functions as intended. PM-603.1

Repair the faucet to eliminate the constant dripping. PM-504.1

Bedroom (10-5 x 7-4)

Note: Please get window measurements during reinspection.

48 x 32 7
H W 9

NZ Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2.

Unit #2

This unit was not inspected at the time of this inspection, as it was not accessible. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** PM-

104.4

LR (12-3 x 12-6) Bed (8-4 x 9-5) Kit 9-3 x 8-110

24 x 35 x 36
H W S

Bedroom
running toilet



Unit #3

Kitchen (14-1 x 8-6)

C Repair the broken window. PM-303.13

C A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3

Living Room (10-2 x 22-2)

C Provide operating power to smoke detector. PM-704.1

Bathroom

No violations noted.

Bedroom (17-2 x 10-0)

Note: Door leading to exterior for egress. ✓

Unit #4

Kitchen (3-6 x 14-1)

No violations noted.

Bathroom

No violations noted.

Hallway

C Replace the missing protective cover for the light fixture. PM-605.1

Bedroom (13-4 x 9-5)

C The clear opening area for the emergency egress window shall not be blocked by furniture or storage. PM-102.3 & PM-702.4

Note: At the time of the cycle inspection this unit was vacant. Please get window measurements during reinspection.

33 w | H 17 S 41

Unit 409

This unit was not inspected at the time of this inspection, as it was not accessible. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** PM-104.4

EXTERIOR

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions (front sidewalk). PM-302.3

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

409 - (3-9 x 10-2) LR - front entry

LR 2 (12-10 x 9-2)

Kitchen (12-10 x 6-10)

Upper Level!

Bathroom.

New dr

Bedroom S 10-1 x 9-9 23 1/2 H

Same

27 W

Bedroom NE (9-3 x 10-10) 23 1/2 S

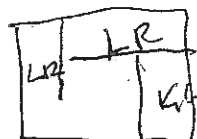
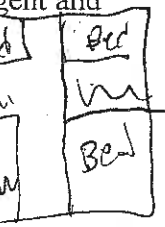
Hallway.

~~Sub power~~

Stairway
tread loose

(10-5 x 10-2)

Bedroom W



Basement
wood
broken
winds



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-02

Address: 1024 S. Hawthorne

Petitioner: Jill M. Jolliff

Inspector: Sean Person

Staff Report:

March 19, 2010	Completed Cycle
July 2, 2010	Sent Remaining Violations Report
July 20, 2010	Received Email from Owner
July 27, 2010	Owner Scheduled Re-inspection
August 25, 2010	Owner re-scheduled re-inspection
September 23, 2010	Arrived for re-inspection / no showed
October 12, 2010	Owner Scheduled re-inspection
November 12, 2010	Phone call from owner to get BHQA form
November 15, 2010	Arrived for 2 nd re-inspection / no showed
November 15, 2010	Started Legal
November 15, 2010	Received appeal and fee

During the cycle inspection it was noted that the rear bathroom had damaged grout and tiles. The petitioner requesting an extension of time to secure a contractor for repairs.

Staff recommendation: Grant the variance

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 1, 2011

12

Attachments: Cycle inspection report, appeal form, legal letter



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov



BY:

Property Address: 1024 S. Hawthorne, Bloomington, IN 47401

Petitioner's Name: Jill M. Jolliff

Address: 770 S. Garrison Chapel Road

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: (812) 322-0381

E-mail Address: jmjolliff@gmail.com

Owner's Name: Jill M. Jolliff and Patricia A. Muller

Address: 770 S. Garrison Chapel Rd.

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: 812-322-0381

E-mail Address: jmjolliff@gmail.com

Occupants: Matt and Niki Kinghorn (and daughter)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-02

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

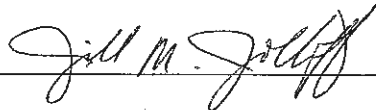
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

This request for an extension of time to complete repairs is being submitted because it has been necessary to re-schedule the re-inspection for the rental permit renewal several times now. What was identified in the initial inspection as 'damaged tile' in the rear bathroom has proven to be a more complex issue to pinpoint and repair. Despite diligent efforts to obtain a "diagnosis" and repair plan that I have confidence in, I have encountered a number of difficulties that continue to prolong the process, including an additional unexpected problem that turned attention away from the bathroom for a time. (These issues have had to do primarily with contractors who haven't followed-through or have had unexpected scheduling conflicts, or significant differences of opinion on the repair work that is needed, requiring additional input/assessment.) Rather than continue to postpone the re-inspection appointment one month at a time, it seemed that it would be easiest for all concerned to formally request a longer extension to allow adequate time for a thorough exploration of the problem and possible solutions, and allow for the kinds of barriers and complications we have continually encountered.

All other aspects of the initial inspection report have been addressed. The single remaining item listed is: "Repair all damaged tile(s) and grout in the shower" in the rear bathroom. However, I am working to resolve similar issues in the front bathroom as well. (The tenants do have use of a fully functioning bathroom and tub/shower.) I would like to request an extension of six months, although I certainly hope to have the work completed before then.

Thank you very much. I appreciate your consideration of this request.

Signature (Required):



Name (Print): Jill M. Jolliff

Date:

11/15/10

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

APR 21 2010

Jill Jolliff & Patricia Muller
770 S. Garrison Chapel Road
Bloomington, IN 47403

Property Location: 1024 S. Hawthorne Drive

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JUN 21 2010** to schedule a reinspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. We have enclosed an appeal form.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report
Information Sheet/Appeal Petition
Notice of Fees

Xc:



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

8130

OWNERS

JOLLIFF, JILL M.
770 S. GARRISON CHAPEL ROAD
BLOOMINGTON, IN 47403

MULLER, PATRICIA A.
770 S. GARRISON CHAPEL RD
BLOOMINGTON, IN 47403

Prop. Location: 1024 S HAWTHORNE DR
Date Inspected: 03/19/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1/1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

INTERIOR

Living Room (23-11 x 15-7)

No violations noted.

Kitchen

No violations noted.

Dining Room

No violations noted.

Back Den (19-0 x 11-10)

No violations noted.

Bathroom Rear

Repair all damaged tile(s) and grout in the shower. PM-304.3

Hallway

No violations noted.

Bathroom

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Bedroom E (10-4 x 9-4)

Existing Egress Window Measurements:

Height: 36 inches
Width: 35 inches
Sill Height: 43 $\frac{3}{4}$ inches
Openable Area: 8.75 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bedroom W (11-10 x 12-10)

Existing Egress Window Measurements:

Height: 36 inches
Width: 35 inches
Sill Height: 43 $\frac{3}{4}$ inches
Openable Area: 8.75 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Crawlspace

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

Garage

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Corporation Counsel
Kevin R. Robling

City Attorney
Margie Rice



City of Bloomington
Legal Department

Assistant City Attorneys
Barbara E. McKinney
Jacquelyn F. Moore
Patricia M. Mulvihill
Vickie Renfrow
Michael M. Rouker
Inge Van der Cruysse

November 15, 2010

Jill M. Jolliff & Patricia A. Muller
770 South Garrison Chapel Road
Bloomington, Indiana 47403

Re: Property located at 1024 South Hawthorne Drive, Bloomington

Dear Ms. Jolliff & Ms. Muller:

Our office has received a referral from the Housing and Neighborhood Development Department concerning your failure to make repairs pursuant to a complaint inspection conducted by the City of Bloomington at the above referenced property. The violations listed in the July 2, 2010 inspection report should all now be remedied.

Please be advised that you need to schedule an inspection of said property within fourteen (14) days of the date of this letter and bring said property into compliance. The initiation of legal proceedings against you for failing to comply with the Bloomington Municipal Code is a viable option. If legal proceedings are initiated, you may be fined up to one hundred dollars (\$100.00) per day for each day that the property has remained out of compliance with the Bloomington Municipal Code.

Please give prompt attention to this matter by contacting the Housing and Neighborhood Development Department at (812) 349-3401.

Sincerely,

Patricia M. Mulvihill
Assistant City Attorney

cc: Housing and Neighborhood Development Department



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: January 12, 2011
Petition Type: Rescind a Variance
Petition Number: 11 - RV - 04
Address: 425 N. Walnut St.
Petitioner: Jeff Delaplane
Inspector: Norman Mosier
Staff Report: November 8, 2010 Conducted Cycle Inspection
November 16, 2010 Received BHQA Appeal

Owner is petitioning the Board of Housing and Quality Appeals to rescind a variance granted on November 12, 1998 for special exception to the railing requirement on the east balcony, with the condition that the exit door to the east balcony be labeled for emergency exit only. After the most recent Cycle Inspection was conducted, the owner decided to have the variance rescinded due to completely renovating the handrails in 2009. The handrails meet current code requirements of PM-306.1 & IRC - R312.2

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter, Photos, Code Reference.

Handwritten signature or initials.



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**



BY: _____

Property Address: 425 N. Walnut St. Ste 1, Bloomington, IN 47404

Petitioner's Name: Jeff Delaplane

Address: 1230 E. Benson Ct

City: Bloomington **State:** Indiana **Zip Code:** 47401

Phone Number: 8123334592 **E-mail Address:** jdelapla@amfam.com

Owner's Name: Jeff Delaplane

Address: Same as above

City: Same **State:** Indiana **Zip Code:** 47401

Phone Number: Same **E-mail Address:** Same

Occupants: 3 unit Apartment Bldg. (converted house)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: Rescind a variance. (Petition Type: RV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-RV-04

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

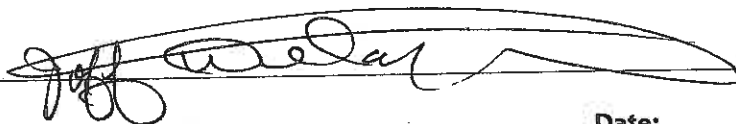
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

In 1998 I was granted a variance for the railing on my upstairs balcony with the condition that the exit door be marked with a sign reading "Emergency Exit Only".

In 2009, I had all of the old railings removed and new railings installed. I believe the new railings meet housing code requirements, so I would like the variance removed.

I have attached pictures of the new railings.

Signature (Required):



Name (Print): Jeff Delaplane

Date:

11/15/10

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

2243

OWNERS

DELAPLANE, JEFF
1230 BENSON COURT
BLOOMINGTON, IN 47401

Prop. Location: 425 N WALNUT ST
Date Inspected: 11/08/2010
Inspectors: Norman Mosier
Primary Heat Source: Other
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 4 / 1
Number of Bedrooms: 1
Max # of Occupants: 2/2 ea, 3/2 ea, 4/2 ea
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

12/03/1980 Granted a variance for the direct means of egress requirement in Apt. #2 and the ground fault interrupting outlet requirement in the bathroom of Apt. #3.

11/12/1998 Special exception to the railing requirement on the east balcony, with the condition that the exit door to the east balcony be labeled for emergency exit only.

NOTE: Unit # 1 is commercial space.

INTERIOR:

Unit # 2

Living Room/ Bedroom 16-3 x 14:
No violations noted.

Kitchen:

No violations noted.

Bathroom:

No violations noted.

2nd Level

Stairway/Hallway:

Secure the handrail so it is capable of withstanding normally imposed loads, at the top of the stairway. PM-303.12 (exterior) & PM-304.5 (interior)

UNIT # 3

Living Room 14-6 x 10:

No violations noted.

Bedroom 14-5 x 12:

Repair or replace existing smoke detector in a manner so that it functions as intended. Not audible. PM-704.1

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1969

Height: 37.25 inches

Width: 27.25 inches

Sill Height: 14 inches

Openable Area: 7.05 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Kitchen:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Bathroom:

No violations noted.

UNIT # 4

Living Room 14-5 x 14-3:

No violations noted.

Kitchen:

Repair both rear burners on the cooking stove to light as intended. PM-603.1

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Bathroom:

No violations noted.

Bedroom 12-3 x 10:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1969

Height: 37.25 inches

Width: 27.25 inches

Sill Height: 14 inches

Openable Area: 7.05 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Basement:

Provide documentation that boiler has been cleaned, serviced, and inspected by qualified personnel, inspect and test shut off valves for proper operation. Documentation from a professional contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1, and PM-504.1

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Property Maintenance Code

Section 306

Paragraph 306.1

Handrails and Guardrails:

Handrails shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or the walking surfaces.

International Residential Code

Section R312

Paragraph R312.2

Guard Opening Limitations:

Required guards on open sides of stairways, raised floor areas, balconies, and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere 4 inches or more in diameter.

425 N. WALNUT ST. 12-1-10 NOTE: EMERGENCY EXIT SIGN ATTACHED TO DOOR ①



425 N. WALNUT ST. 12-1-10

②

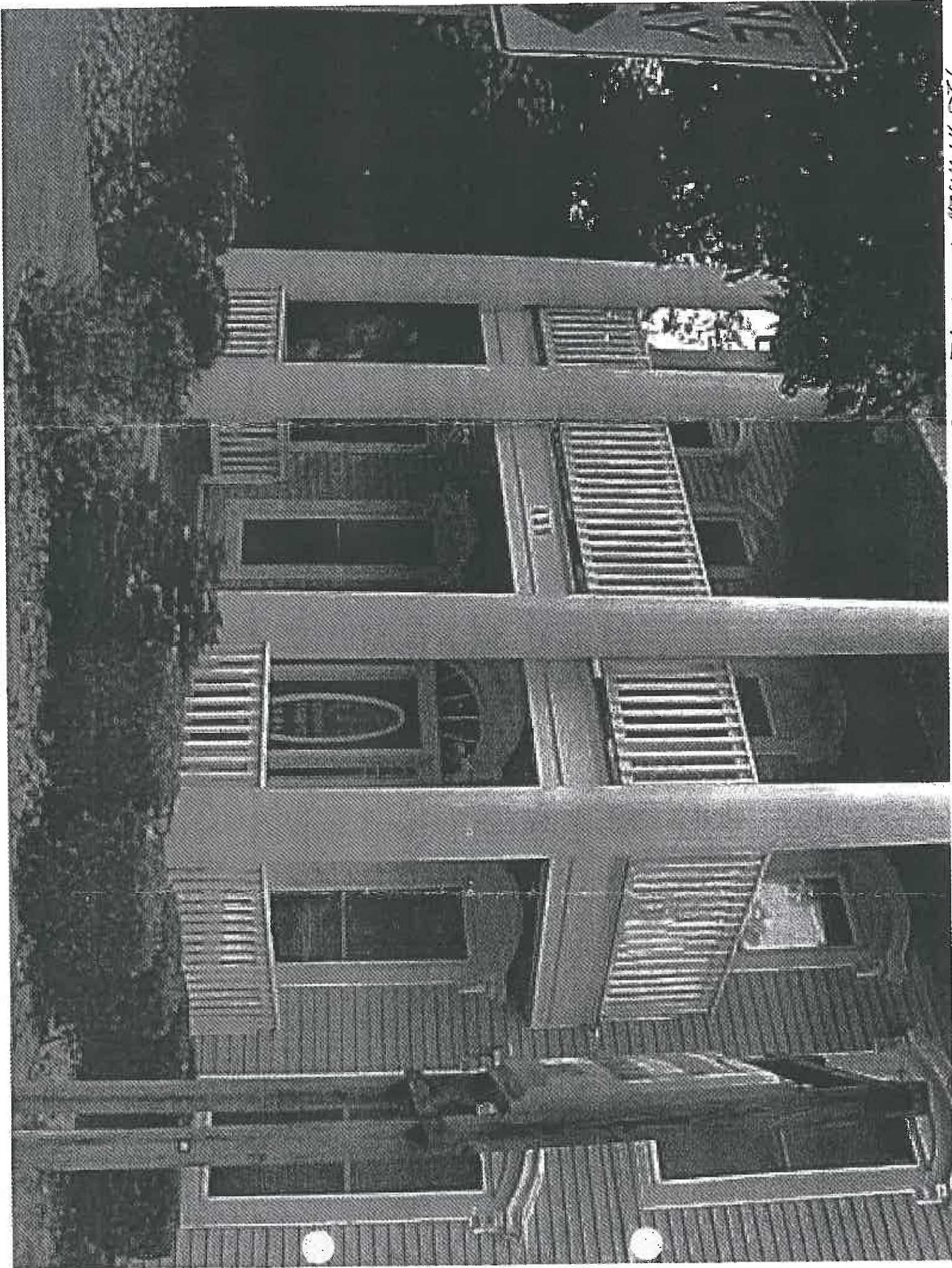


425 N. WALNUT ST. 12-1-10

(3)



425 N. WALNUT ST. 12-1-10



(4)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-05

Address: 565 N. Walnut

Petitioner: Herb Hoover

Inspector: Sean Person

Staff Report: September 8, 2010 Conducted cycle inspection
 October 26, 2010 Owner scheduled re-inspection
 November 15, 2010 Owner rescheduled re-inspection
 November 23, 2010 Completed re-inspection

During the cycle inspection it was noted that in Unit E the drywall on the ceiling had water damage. This item was not in compliance during the re-inspection. The petitioner believes that the lack of rain and the dry season that occurred hid the source of the leak and the recent precipitation helped determine the source.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

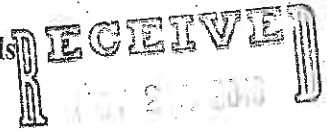
Compliance Deadline: March 1, 2011.

Attachments: Cycle Report, Application for Appeal

14



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420



BY: _____

Petitioner's Name: Herb Hoover

Petitioner's Address & Phone Number: 565 N. Walnut St. Apt E

Owner's Name: Hoover Investments

Owner's Address & Phone Number: Same, apt C, 812-369-7613

Address of Property: 565 N. Walnut St., Ste. C

Occupant(s) Name(s): Pa Dee Bailey

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): Herb Hoover

(Will be assigned by BHQA)
11-TV-05
Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Since it had not rained for so long, the first inspection did not detect a leak. During the re-inspection, a leak was discovered due to a recent rainstorm.

I am fixing the problem today (11/23/12), however my tenant may be working in Florida until March.

When she gets back, I will call HAND for an inspection.

Thank you for your consideration.

Signature:

A handwritten signature, possibly "D. J. [unclear]", written in black ink.

Date:

11/23/12



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

SEP 01 2010

Hoover Investments, LLP
310 Sewell Road
Bloomington, IN 47408

Property Location: 565 N. Walnut Street

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 01 2010** to schedule a reinspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

8124

OWNERS

=====

HOOVER INVESTMENTS, LLP
310 SEWELL ROAD
BLOOMINGTON, IN 47408

Prop. Location: 565 N WALNUT ST
Date Inspected: 08/26/2010
Inspectors: Sean Person
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 4/1
Number of Bedrooms: 1 each
Max # of Occupants: 2 each
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

VARIANCE

=====

11/29/2005 1 unit owner occupied.

INTERIOR

Apt. E

Living Room (12-6 x 20-6)

No violations noted.

Dining Room (9-7 x 8-6)

No violations noted.

Bathroom

No violations noted.

Kitchen (9-2 x 7-6)

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1

Bedroom (10-1 x 10-4)

Existing Egress Window Measurements:

Height: 34 inches
Width: 33 inches
Sill Height: 20 inches
Openable Area: 7.79 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

NC Properly repair or replace damaged or deteriorated wallboard on ceiling. PM-102.8, PM-303.1 & PM-304.2

Apt. D

Living Room (12-6 x 20-6)

No violations noted.

Dining Room (9-7 x 8-6)

No violations noted.

Kitchen (9-2 x 7-6)

No violations noted.

Bathroom

No violations noted.

Bedroom (10-1 x 10-4)

Existing Egress Window Measurements:

Height: 34 inches
Width: 33 inches
Sill Height: 20 inches
Openable Area: 7.79 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Apt. F

Living Room (12-6 x 20-6)

Replace the missing protective cover for the light fixture. PM-605.1

Properly repair or replace damaged or deteriorated wallboard on ceiling. PM-102.8, PM-303.1 & PM-304.2

Dining Room (9-7 x 8-6)

No violations noted.

Kitchen (9-2 x 7-6)

No violations noted.

Bathroom

No violations noted.

Bedroom (10-1 x 10-4)

Existing Egress Window Measurements:

Height: 34 inches

Width: 33 inches

Sill Height: 20 inches

Openable Area: 7.79 sq. ft.


Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

 A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or **a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-06

Address: 1717 N. Lincoln

Petitioner: Action Property Management

Inspector: Robert Hoole

Staff Report: July 22, 2010 Cycle inspection report mailed
September 28, 2010 Remaining Violations report mailed
November 29, 2010 Appeal filed

The owner of this property passed away in October. His wife has hired a property management company to take over the maintenance and management.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

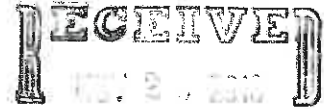
Compliance Deadline: March 12, 2011

Attachments: Cycle inspection report, appeal form

JS



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420



Petitioner's Name: Action Property Mgmt. & Realty BY: _____

Petitioner's Address & Phone Number: 408 W. 6th St. - Blgtn 47404 - 812-332-8870

Owner's Name: Billie Moore

Owner's Address & Phone Number: 9613 Harbour Pt. - Bloomington - 47401 - 812-824-8686

Address of Property: 1717 No. Lincoln St. Blgtn. IN 47408

Occupant(s) Name(s): Vacant

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested

*Variance for window issues
- OWNER'S husband passed away - hired new
MGMT. WAS UNKNOWN about inspection*



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Linda L Quillen

Name (print): LINDA L Quillen

(Will be assigned by BHQA)

11-TV-06

Petition Number: _____

(Please use the reverse side for further explanation and/or request)

Cycle Report

3148

OWNERS

=====

MOORE, BRUCE E.
9613 HARBOUR POINTE DRIVE
BLOOMINGTON, IN 47401

Prop. Location: 1717 N LINCOLN ST
Date Inspected: 07/09/2010
Inspectors: Robert Hoole
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure:

INTERIOR

Egress window requirements at the time of construction (1990):

Height: 24 inches
Width: 20 inches
Sill Height: 44 inches maximum
Openable Area: 5.7 sq. ft.

Living room (12 x 18)

No violations noted.

Kitchen (10 x 6)

No violations noted.

1st floor bath

Remove excess wax from base of toilet. PM-504.1

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

2nd floor hallway

Replace the battery-operated smoke detector with a hard-wired and interconnected smoke detector.
PM-704.1

Rear bedroom / bath (11 x 13)

Existing Egress Window Measurements:

Height: 20 ½ inches
Width: 34 inches
Sill Height: 36 inches
Openable Area: 4.84sq. ft.

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or, you apply for an egress variance with the Indiana Fire and Building Safety Commission. PM-702.4

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Front bedroom / bath (13 x 11)

Existing Egress Window Measurements:

Height: 20 ½ inches
Width: 34 inches
Sill Height: 36 inches
Openable Area: 4.84sq. ft.

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or, you apply for an egress variance with the Indiana Fire and Building Safety Commission. PM-702.4

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

2nd floor toilet room

Repair the exhaust fan to eliminate excessive noise. PM-403.2

Replace the deteriorated floor covering. PM-304.3

Attic

No violations noted.

Crawlspace

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-08
Address: 521 W. Wylie
Petitioner: Jared Mackinnon
Inspector: Sean Person
Staff Report: October 17, 2010 Completed Cycle
November 30, 2010 Appeal filed

During the cycle inspection it was noted that the property had multiple window violations. The petitioner is seeking an extension of time to complete repairs to these items.

Staff recommendation: Grant the variance

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 1, 2011

Attachments: Cycle inspection report, appeal form

JP



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 30 2010

BY: _____

Petitioner's Name: Jared Mackinnon

Petitioner's Address & Phone Number: 521 W. Wylie 47403 - (812) 219-4921

Owner's Name: Linda Lee

Owner's Address & Phone Number: 3875 S. County Rd, Paoli (812) 723-2430

Address of Property: 521 W. Wylie

Occupant(s) Name(s): Jared Mackinnon

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



- A. An extension of time to complete repairs. (Petition type: TV)
- ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested



- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and or alterations you are suggesting



- C. Relief from an administration decision. (Petition type: AA)
- ↳ Specify the decision being appealed and the relief you are seeking



- D. Rescind a variance. (Petition type: RV)
- ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): Jared Mackinnon

11-TV-08

Petition Number: _____

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Window glazing compound is taking a long time to
set and dry. While trying to repair windows
~~very~~ to facilitate opening some developed
cracks and needed pane replaced.

Signature:

Date:

11/30



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

OCT 14 2010

Linda Lee
3875 S. County Road 50 W
Paoli, IN 47454

Property Location: 521 West Wylie

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **DEC 14 2010** to schedule a reinspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

4594

OWNERS

LEE, LINDA L.
3875 S. COUNTY RD. 50W
PAOLI, IN 47454

Prop. Location: 521 W WYLIE ST
Date Inspected: 10/11/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1/1
Number of Bedrooms: 2
Max # of Occupants: 2
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR

Living Room (11-1 x 13-5)

Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

Kitchen (11-7 x 13-5)

No violations noted.

Bedroom N (10-6 x 10-3)

Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

Provide operating power to smoke detector. PM-704.1

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows.
PM-303.13

Bedroom (10-1 x 10-3)

Existing Egress Window Measurements:

Height: 23 inches

Width: 31 inches

Sill Height: 26 inches

Openable Area: 4.95 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair the broken window. PM-303.13

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows.
PM-303.13

Back Porch (17-11 x 9-11)

No violations noted.

Upper Level (27-3 x 13-1)

No violations noted.

Basement

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Remove and properly dispose of all accumulated debris on property. PM-302.1

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by

all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-09

Address: 626 N. College

Petitioner: Omega Properties

Inspector: Sean Person

Staff Report: August 19, 2010 Completed Permit Upgrade
November 15, 2010 Sent Remaining Violations Report
December 6, 2010 Received Appeal Application

During the permit upgrade inspection it was noted that the room was converted to a bedroom per all specifications of the Rental Plan Review Report except the emergency egress requirements. Contractor was sent wrong window and would like to replace with a code complaint window. Requirement and measurements are listed below:

The emergency egress window does not meet the minimum requirements for multi-unit structure built or modified in 2009:

Openable area required: 5.7 sq. ft.	Existing area: 5.46 sq. ft.
Clear width required: 20 "	Existing width: 35 "
Clear height required: 24 "	Existing height: 22 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 8 "

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 1, 2011

Handwritten signature in blue ink.

Attachments: Permit upgrade inspection report, appeal form



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED

BY: _____

Petitioner's Name: Oneba Properties

Petitioner's Address & Phone Number: 115 E 6th Bloomington IN 47403

Owner's Name: Mary Friedman

Owner's Address & Phone Number: 629 S. Woodcrest Bloomington IN.

Address of Property: 626 #1 N. College

Occupant(s) Name(s): N/A

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

☒

A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested

☐

B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting

☐

C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking

☐

D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): _____

(Will be assigned by BHQA)

11-TV-09

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

To cold to remove window frame, and re-install.
Will have job completed after winter break - 1 month

Signature: _____

Date: 12-6-10



**City of Bloomington
Housing and Neighborhood Development**

NOV 19 2010

Permit Upgrade Remaining Violations

186

OWNERS

FRIEDMAN, MARY & DAN
629 S. WOODSCREST DRIVE
BLOOMINGTON, IN 47401

AGENT

OMEGA PROPERTIES
115 E. 6TH ST. STE. #1
BLOOMINGTON IN 47408

Prop. Location: 626 N COLLEGE AVE
Date Inspected: 08/19/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 4/1
Number of Bedrooms: 2/1-BR & 3/2-BR
Max # of Occupants: 2 & 3
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

06/24/1980 Granted a variance to the bathroom ventilation requirement in Apt. #4.

Note: The inspection only covered unit number one (1) southeast bedroom.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

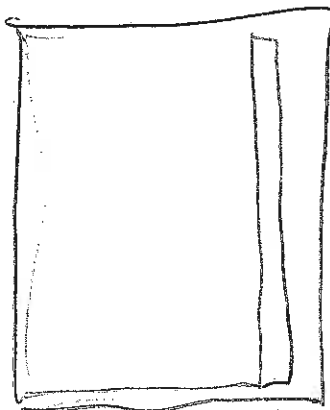
It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

The emergency egress window does not meet the minimum requirements for multi-unit structure built in 2008:

Openable area required: 5.7 sq. ft.	Existing area: 5.46 sq. ft.
Clear width required: 20 "	Existing width: 35 "
Clear height required: 24 "	Existing height: 22 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 8 "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02,040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011
Petition Type: An extension of time.
Petition Number: 11-TV-10
Address: 325 E. Varsity Lane
Petitioner: Varsity Properties
Inspector: Maria McCormick
Staff Report: October 4, 2010 Cycle Inspection
December 2, 2010 Letter sent re Planning issues.

At the cycle inspection it was noted that the property owners had changed the bedroom count from 2 bedrooms to 3 bedrooms. This has created an issue with the City of Bloomington Planning Department. The owner is requesting an extension of time to deal with the planning department.

Staff recommendation: Grant the extension of time.
Conditions: Resolve all issues with the City of Bloomington Planning Dept. by the deadline, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: March 31, 2011
Attachments: Application for Appeal, Cycle Report, Letter re planning issues

fa



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Dana

Petitioner's Name: Varsity Properties

Petitioner's Address & Phone Number: 2015 N. Dunn St. 812-334-0333

Owner's Name: Varsity Properties

Owner's Address & Phone Number: 2015 N. Dunn St. 812-334-0333

Address of Property: 325 E. Varsity Lane Bloomington, IN 47408

Occupant(s) Name(s): Theodore Alexander, Tyler Barrett, Cameron Church

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



- A. An extension of time to complete repairs. (Petition type: TV)
- Specify the items that need the extension of time to complete
 - Explain why the extension is needed
 - Specify the time requested



- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- Specify the code reference number you are appealing
 - Detail why you are requesting the variance
 - Specify the modifications and/or alterations you are suggesting



- C. Relief from an administration decision. (Petition type: AA)
- Specify the decision being appealed and the relief you are seeking



- D. Rescind a variance. (Petition type: RV)
- Detail the existing variance
 - Specify the reason the variance is no longer needed

certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Ronnie Ison

Name (print): Ronnie Ison

Petition Number: 11-TV-10

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

se write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or
ication(s) for your request, the amount of time needed to bring the property into compliance, as well as any
fications and/or alterations you are suggesting.)

We would like an extension so we can
ontact Patrick Shay of the Planning Dept.
We would like to have a 30 day extension
and are not sure how long we will need,
until we talk to Patrick.

See next page for additional information.

res

Date:

12.6.10



**City of Bloomington
Housing and Neighborhood Development**

December 2, 2010

Varsity Properties
2015 N. Dunn Street
Bloomington, IN 47408

Re: 325 Varsity Lane

Dear Sir or Ms.:

During a review of the permit and inspection paperwork, it came to my attention that this property is using space on the lower level as a third bedroom. This unit was originally approved with two bedrooms on the upper level and living space (not sleeping room space) on the lower level. Upon further review of your website, it came to our attention that you are advertising these as three bedroom units. Please see http://www.varsity-properties.com/properties/property_floorplan_details.php?id=1&floorplan_id=91. This change has not been approved and may not be permitted by Title 20 of the Bloomington Municipal Code.

Please note that the Housing and Neighborhood Development Department cannot issue you a rental occupancy permit knowing that you may be in violation of Title 20 of the Bloomington Municipal Code. Please contact Patrick Shay of the Planning Department at 812-349-3423 immediately to discuss ways to bring this unit into compliance. Your compliance deadline with HAND is December 7, 2010. I would recommend that you apply to the Board of Housing Quality Appeals for an extension of time so that you can remain eligible for a four year permit. The appeal form can be found at <http://bloomington.in.gov/media/media/application/pdf/327.pdf>.

Thank you for your immediate attention to this matter.

Sincerely,

Lisa Abbott
Director

cc: Patrick Shay, Development Review Manager, Planning Department
Patricia Mulvihill, Assistant City Attorney, Legal Department



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-11

Address: 100 E. Miller

Petitioner: Barry Jones

Inspector: Robert Hoole

Staff Report: September 23, 2010 Cycle inspection report mailed
December 3, 2010 Reinspection
December 7, 2010 Appeal filed

During the cycle inspection report it was noted that fuel-fired furnaces and water heaters were located in and drawing combustion air from the 1st floor bathrooms, and that several of the furnace areas had damaged ceilings. The petitioner is seeking a six month extension of time to complete ceiling repairs. The petitioner is also seeking a variance to allow the fuel-fired appliances to remain in their current location without modification.

Staff recommendation: Grant the extension of time / Grant the variance

Conditions: Hard-wired carbon monoxide detectors shall be permanently installed and maintained in each 1st floor bathroom. All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 12, 2011

12

Attachments: Remaining violations report, appeal form



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 100 E. Miller Dr. Bloomington, IN 47401

Petitioner's Name: Barry Jones

Address: 200 E. Miller Dr.

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 589-0144

E-mail Address: b.jones@regencyapartments.com

Owner's Name: Regency Consolidated Residential, LP

Address: 1701 Broadmoor Dr. Suite #200

City: Champaign,

State: Illinois

Zip Code: 61821

Phone Number: 217-359-7031

E-mail Address: n.jones@regencyapartments.com

Occupants: UNITS 1-92

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-11

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

1. Request a 6 month extension PM- 303.3; All drywall repairs in all furnace closets, (ceilings and walls) must be taped, spackled, and properly sealed, to provide proper separation for the mechanical room. (petition type TV)

2. Request variance for Furnace closets PM-603.7: As this was not noted on previous inspections we would like to request a variance. Due to the ceiling height of kitchen cabinets there is not sufficient space to access and accommodate an air vent on common wall with kitchen. On the living room side there is only 4-5" of space between the plenum and the wall. We propose to install CO detectors, electric with a battery back up, in all apartments in January 2011. We also do an annual CO test and furnace inspection prior to the heating season. (petition type V)

Signature (Required):

Name (Print):

Date: 12/7/10

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

DEC 13 2010

Remaining Violations Report

1429

OWNERS

REGENCY CONSOLIDATED RESIDENTIAL, LP
1701 BROADMOOR DR. SUITE #200
CHAMPAIGN, IL 61821

AGENT

JONES, NANCY K.
200 E. MILLER DRIVE-OFFICE
BLOOMINGTON IN 47408

Prop. Location: 100 E MILLER DR
Date Inspected: 09/13/2010
Inspectors: Mosier/Hoole
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 92 / 4
Number of Bedrooms: 2 each
Max # of Occupants: 4 each
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

GENERAL VIOLATIONS:

Furnace Closets:

- Fuel - fired appliances shall not be located in or obtain combustion air from any of the following rooms or spaces:
 1. SLEEPING ROOMS
 2. BATHROOMS
 3. TOILET ROOMS
 4. CLOSETS USED FOR STORAGE OF ANY COMBUSTIBLES
 5. UNDER STAIRS**PM-603.7**

- All drywall repairs in all furnace closets, (ceilings and walls), must be taped, spackled, and properly sealed, to provide proper separation for the mechanical room. **PM-304.3**



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: January 13, 2011
Petition Type: Rescind a Variance
Petition Number: 11-RV-12
Address: 1013 W. 6th St.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: Conducted Cycle Inspection – November 30, 2010

It was noted during the cycle inspection that the variance dated 08/10/95 needs to be removed. The north unit bedroom now has a code compliant window and the variance, which prohibited the north unit bedroom from being used as a sleeping room, is no longer needed.

Existing Egress Window Measurements: Casement: Const. Yr. – 1920 * 2000

Height: 55 inches

Width: 28.25 inches

Sill Height: 28.5 inches

Openable Area: 10.89 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report, Photo.

[Handwritten signature]



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: H.A.N.D.

Petitioner's Address & Phone Number: 401 N. MORTON ST. SUITE 130

Owner's Name: KAREN CHERINGTON

Owner's Address & Phone Number: 900 W. 6TH ST. 334-3473

Address of Property: 1013 W. 6TH ST. 47404

Occupant(s) Name(s): UNKNOWN

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

☐

A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested

☐

B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting

☐

C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking

☒

D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Norman Mosier H.A.N.D.

Name (print): NORMAN MOSIER

(Will be assigned by BHQA)

11-RV-12

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

REQUEST TO RESCIND A VARIANCE DENIED
ISSUED ON 8-10-95 - SPECIAL EXCEPTION TO
THE MINIMUM EGRESS REQUIREMENTS IN
VARIANCE DENIED FOR THE NORTH UNIT
BEDROOM. NEW WINDOW INSTALLED BEFORE
CURRENT OWNER PURCHASED PROPERTY IN
2000. MEASUREMENTS ARE AS FOLLOWS:

HEIGHT: 55 INCHES

WIDTH: 28.25 INCHES

SILL HEIGHT: 28.5 INCHES

OPENABLE AREA: 10.89 SQ. FT.

Signature:

Norman Moss

Date:

12-9-10



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

2649

OWNERS

CHERRINGTON, KAREN L.
900 W. 6TH ST.
BLOOMINGTON, IN 47404

Prop. Location: 1013 W 6TH ST
Date Inspected: 11/30/2010
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 2 / 1
Number of Bedrooms: 1-br front/2-br rear unit
Max # of Occupants: 2/3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

VARIANCE

01/14/1981 The Board of Housing Quality Appeals granted a variance for the minimum ceiling height and square footage requirements if a smoke detector is installed and the second floor windows are easily openable.

08/10/1995 Special exception to the minimum egress requirements in variance denied for the north unit bedroom.

INTERIOR:

Front Unit

Living Room 14-7 x 13-3:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Furnace Closet:

Properly repair the wiring for the light fixture, light flickers. PM-605.1

NW Bedroom 13 x 12:

No violations noted.

Existing Egress Window Measurements: Casement: Const. Yr. - 1920

Height: 55 inches

Width: 28.25 inches

Sill Height: 28.5 inches

Openable Area: 10.89 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Kitchen:

No violations noted.

Bathroom:

Repair the door to latch properly. PM-304.6

Clean and service the exhaust fan. PM-603.1

Rear Unit

Kitchen:

Repair the door to latch properly. PM-303.15

Repair/replace the missing cabinet front. PM-304.3

Bathroom:

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks (repair the sink faucet in a manner so that there is adequate water pressure and volume) . PM-505.3

Secure toilet to its mountings. PM-504.1

Living Room 13-7 x 13:

Replace the burnt receptacle on the east wall. PM-605.1

Secure the light switch on the south wall. PM-605.1

UPSTAIRS (Attic conversion)

Stairway/Hallway:

No violations noted.

N Bedroom 10-8 x 9-5: **NOTE:** Vaulted Ceiling, 7' 11" at highest point.

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1920

Height: 15 inches

Width: 24 inches

Sill Height: 30 inches

Openable Area: 2.5 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

E Bedroom 15-3 x 10-7: **NOTE:** Vaulted Ceiling, 7' 11" at highest point.

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1920

Height: 36 inches

Width: 24 inches

Sill Height: 27 inches

Openable Area: 6.0 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Crawlspace:

No access.

EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Secure guttering to the structure and replace any missing guttering. PM-303.7

Remove the vines that are growing on the structure. PM-102.8, PM-302.4, & PM-303.1

Secure the loose ridge vent at the top of gable end on the east side of structure. PM-303.7

Install missing J channel around the window on the west side of structure. PM-303.6

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Variance**

Meeting Date: January 12, 2011

Petition Type: A modification or exception to the Property Maintenance Code

Variance Request: Request a pass through variance to reach a bathroom through a bedroom.

Petition Number: 11-V-13

Address: 1421 W. 12th Street

Petitioner: John Becraft

Inspector: John Hewett

Staff Report: Cycle Inspection was conducted October 8, 2008
Reinspection conducted October 27, 2008
Rental Permit Issued November 6, 2008

During the Cycle Inspection in 2008 a pass through violation was noted on the Cycle Inspection report. There was only a single tenant at that time. The permit was issued for a 1 bedroom unit at this address to avoid the need for a variance. The owner is now requesting a variance for this situation to allow this property to be permitted as a 2 bedroom unit.

Staff recommendation: Grant the variance.

Conditions: None

Compliance Deadline: None

Attachments: 2008 Cycle Inspection report, Floor plan, Appeal.

Handwritten initials or signature.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
DEC 16 2010

BY: _____

Petitioner's Name: JOHN R Becraft

Petitioner's Address & Phone Number: 5201 SOUTH SHORE DRIVE 812-345-6000
812-988-1993

Owner's Name: Same

Owner's Address & Phone Number: Same

Address of Property: 1421 WEST 12TH ST

Occupant(s) Name(s): KEN CLIN

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☒ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: John R Becraft

Name (print): JOHN R BECRAFT

(Will be assigned by BHQA)

11-V-13

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

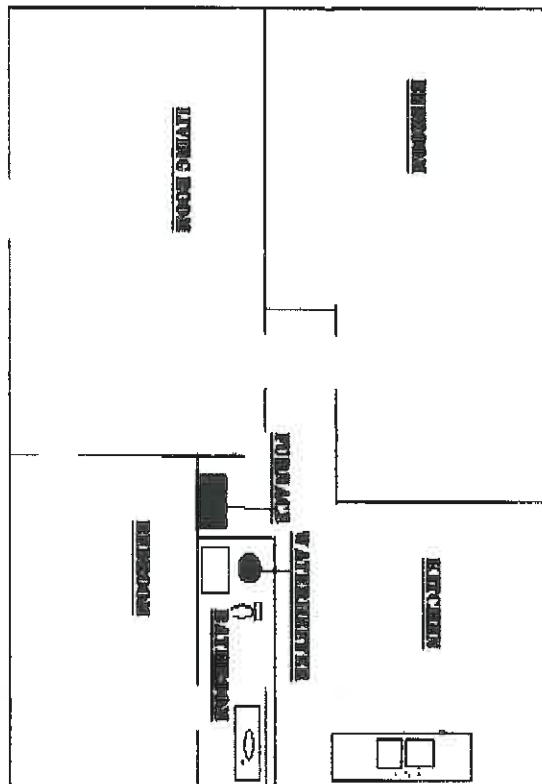
To allow passing through a bedroom
to access the bathroom

Signature: _____ Date: _____

ATTN: Notman Mosier
 RA # 349-3582

1421 WEST 14TH STREET

OWNERS: JOE AND PAULA BERGARY



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 +
 N
 N



City of Bloomington
Housing and Neighborhood Development

A COPY OF THIS PERMIT AND THE RENTAL FILE ARE AVAILABLE FOR THE PUBLIC TO VIEW DURING
REGULAR BUSINESS HOURS AT THE HOUSING AND NEIGHBORHOOD DEVELOPMENT OFFICE

RESIDENTIAL RENTAL OCCUPANCY PERMIT
HOUSING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT
City of Bloomington, Indiana

10/29/2008

Location: 1421 W 12TH ST

Zone: RS

Owner: BECRAFT, JOHN R. 5201 SOUTHSORE DRIVE NASHVILLE IN 47448

Agent:

Units/Structures

Bedrooms

Occupant Load

Inspector

1 / 1

1 approved

1

JOHN HEWETT

The permit certifies compliance with the provision of Bloomington Housing-Property Maintenance Code and does not represent building or zoning compliance. No change of use shall be made in this location without the prior approval of the applicable departments.

Date Inspected: 10/08/2008

Date Complied: 10/27/2008

PERMIT EXPIRES: 10/27/2012

B.H.Q.A Variance Conditions of Approval:

Housing Official

A copy of the permit must be displayed on the inside of the main entrance of the rental units



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

8995

OWNERS

=====

BECRAFT, JOHN R.
5201 SOUTHSORE DRIVE
NASHVILLE, IN 47448

Prop. Location: 1421 W 12TH ST
Date Inspected: 10/08/2008
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 1 approved
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure:

Interior

Living room

12-7 x 13-4

Properly install base board trim to cover the edges of the floor covering. PM-304.4

NW bedroom

7-11 x 9-8

Every window shall be capable of being easily opened and held in the open position by its own hardware.
PM-303.13.2

Every room used as a bedroom shall have access to at least one (1) water closet without passing through another room used as a bedroom. Continued use of this space as a bedroom shall be contingent upon either providing proper access from a common area to the bathroom in accordance with all applicable rules or securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.3

Existing Egress Window Measurements:

Height: 24 inches
Width: 26.5 inches
Sill Height: 27 inches
Openable Area: 4.41 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom

Install outside corner moldings on the end of the wall adjacent to the shower door to protect against the sharp end cuts of the wall paneling. PM-304.3

Repair the Temperature Pressure Relief Valve discharge tube to meet the following criteria:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- **shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break**
- **shall extend to within 6" of floor. PM-505.4**

SE bedroom

7-0 x 11-1 + 4-0 x 5-0

Existing Egress Window Measurements:

Height: 24 inches

Width: 26.5 inches

Sill Height: 27 inches

Openable Area: 4.41 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. PM-304.3
(Northwest corner above the door)

Mechanical closet

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

Kitchen

Properly secure the junction box in the sink cabinet. All bared insulation shall be concealed in the junction box and a cable clamp shall secure the wire to the junction box. PM-605.1

Provide a proper threshold at the doorway to the exterior to secure the vinyl flooring at this doorway. PM-304.4

Every door available as an exit shall be capable of being opened easily from the inside and without the use of a key. Provide a toggle on the interior side of the deadbolt. PM-702.3

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Exterior

All trees on premise shall be in good health and pose no danger to persons or building. Remove the dead tree in the front yard and remove the broken branches hanging in the tree to the west of the house. PM-302.4.1

Remove the deteriorated sections of fence in the back yard or properly install adequate poles and supports. PM-302.7

Properly tuck point and skim coat the chimney with appropriate mortars. PM-303.11

Properly wrap the rear fascia board with siding materials or paint the fascia. PM-303.9

Install guttering on the rear (south side) of the house. PM-303.7

Properly direct the NW downspout from the structure. PM-303.7

Replace the missing protective cover for the front light fixture. PM-605.1

Properly seal the perimeter of the house foundation to keep rodents and animals out of the crawlspace. PM-303.5

Replace the glazing compound on the SE window to be of a workmanlike nature. PM-303.13.1

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(door frames and window frames and sashes.)

This violation has a one year deadline from the date this report is mailed.

Other requirements

Note: This property was vacant at the time of this inspection, if it is occupied at the time of reinspection the following documents will need to be reviewed with the inspector.

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector before the Residential Rental Permit will be issued for this property. BMC16.12.050 (d)

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

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